



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329

(916) 322-5660 • Fax (916) 322-0886

February 4, 2010

✓ GTECH Corporation
c/o Nielsen, Merksamer, Parrinello,
Mueller & Naylor, LLP
Attn: Jennie Unger Eddy

REDACTED

Warning Letter Re: FPPC No. 10/052; GTECH Corporation, Respondent

Dear Ms. Eddy:

The Fair Political Practices Commission (the "FPPC") enforces the provisions of the Political Reform Act (the "Act"),¹ found in Government Code section 81000, et seq. This letter is in response to your self-reported violation on behalf of your client, GTECH Corporation ("GTECH,") that alleged GTECH failed to file late contribution reports in connection with the May 19, 2009 statewide special election.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that GTECH made a late in-kind contribution on May 18, 2009 to Californians for Modernization, a committee in support of Proposition 1C, that was a committee controlled by GTECH.

The Act provides that any candidate or committee that makes a contribution of \$1,000 or more in the final 16 days before an election must file a late contribution report within 24 hours. (Section 84203.) For major donors who incur an obligation to file electronically, that late contribution report must also be filed in electronic version with the Office of the Secretary of State. (Section 84605(a).)

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in sections 18109 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

GTECH's actions violated the Act because it failed to file either its paper or electronic version of a late contribution report. GTECH has now filed its late contribution reports in connection with the May 19, 2009 election.

This letter serves as a written warning. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future will result in monetary penalties of up to \$5,000 for each violation.

A warning letter is an FPPC case resolution without administrative prosecution or fine. However, the warning letter resolution does not provide you with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Fair Political Practices Commission. If you wish to avail yourself of these proceedings by requesting that your case proceed with prosecution rather than a warning, please notify us within ten (10) days from the date of this letter. Upon this notification, the FPPC will rescind this warning letter and proceed with administrative prosecution of this case. If we do not receive such notification, this warning letter will be posted on the FPPC's website ten (10) days from the date of this letter.

Please feel free to contact me with any questions you may have regarding this letter.

Sincerely,

REDACTED

✓
Gary S. Winuk, Chief
Enforcement Division

GSW/jt